

GREENFIELD TOWN COUNCIL  
Regular Meeting Minutes  
February 16, 2011

GCTV-15

7:00 pm

**CALL TO ORDER:** Meeting was called to order at 7:04 p.m. by President Farrell.

President Farrell stated this meeting was being recorded. If any other person present was doing the same, they must notify the chairperson at this time. It was noted the Town Council was audio recording and GCTV-15 was video recording the meeting for future broadcast.

**ROLL CALL OF MEMBERS:** Roll Call was taken. Councilors Singer, Letourneau, Sluter and Sutphin were absent.

**ALSO PRESENT:** Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Maureen Winseck; Department of Public Works Superintendant Sandra Shields; Retirement Administrator, Marianne Fiske; Retirement Board Chairman William Devino; Retirement Board member Marilyn Matysiewicz; Fire Chief Michael Winn; Deputy Fire Chief Robert Strahan; Greening of Greenfield Member Nancy Hazard; Boy Scout John Maloney; Town Council Candidate at Large Cameron Ward; GCTV-15 staff; Anita Phillips, *the Recorder*; and members of the public.

**ACCEPTANCE OF MINUTES:** On a motion by Councilor Maloney, second by Councilor Allis, it was unanimously

**VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF JANUARY 19, 2011 AND THE JOINT TOWN COUNCIL AND SCHOOL COMMITTEE MINUTES DATED JANUARY 19, 2011 AND FEBRUARY 7, 2011.

**PUBLIC HEARINGS:** None.

President Farrell noted Councilor Guin joined the meeting at 7:06 pm.

**COMMUNICATIONS:**

**MAYOR:** Mayor Martin read a statement regarding the Assessor's Office. (Attached)

Fire Chief Winn announced the Department had been awarded a Federal Grant in the amount of \$474,572.00. The Department would hire six (6) firefighters with these funds. He reviewed the team effort in the application process and thanked local and state employees for their hard work.

Ms. Kelly noted the School Building Authority was moving into the Designer Selection phase for the High School project. There would be a meeting in Boston on March 15, 2011 at which time a designer would be chosen. The Designer Selection Committee chose Ty and Bond as the number one choice for designer for Green Repair Grant for Four Corners School. The work on this project will begin before the end of this calendar year. The Town submitted four Statements of Interest to the Massachusetts School Building Authority for Newton, North Parish, Federal Street and Green River Schools.

Mayor Martin noted the Associated Press had been directed by the State to contact Greenfield regarding the Solar Farm. The Town was preparing a Request for Proposals for a second Solar Farm.

President Farrell noted the Greenfield Cooperative Bank had donated \$2,000.00 to the Town for the 200<sup>th</sup> Celebration as the County Seat.

Mayor Martin and Chief Winn updated the Council on the damage to Four Corners School caused by a plumbing leak.

Mayor Martin stated the Assessor's Office would be closed to the public a day and a half a week (11.25 hours per week). Ms. Kelly stated the Chief Assessor would be present to assist the public if needed. The "floater" Job Description was being created.

**SCHOOL COMMITTEE CHAIRMAN:** None.

**TOWN OFFICERS:** None.

**MOTIONS, ORDERS, AND RESOLUTIONS**

**Order no. FY 11-056**

**MOTION:** On a motion by Councilor Allis, second by Councilor McLellan, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 THE TOWN COUNCIL APPROVES OF THE FOLLOWING REAPPOINTMENTS AND APPOINTMENTS, BY THE MAYOR TO THE FOLLOWING BOARDS AND/OR COMMISSIONS FOR THE EXPRESSED TERM:

**APPOINTMENT**

Robert Wolanske	Board of License Commissioners	2-year term, June 30, 2013(replacing the
	seat left vacant by Nancy Adamayourka)	
Robert Pyers	GMTA Committee	Until successor qualified

Michael Winn	GMTA Committee	Until successor qualified
Daniel Meunier	Redevelopment Authority	2-year term, June 30, 2013 (replacing the seat left vacant by Frank McDonald)
Seth Cassin	Recreation Commission	2-year term, June 30, 2013
Christopher Joseph	Zoning Board of Appeals	1 <sup>st</sup> Alternate - 2-year term, June 30, 2012 (replacing the seat vacated by Howard Barnard when he moved to a full member)

**DISCUSSION:** Councilor Allis noted the Appointments and Ordinance Committee forwarded a unanimous positive recommendation for the appointments.

It was unanimously,

**VOTED:** TO APPROVE MOTION ORDER NO. FY 11-056.

**Order no. FY 11-059**

**MOTION:** On a motion by Councilor Maloney, second by Councilor Allis, it was unanimously,

**VOTED:** THAT ORDER NO. FY 10-027, 2 of 2, TABLED AT THE OCTOBER 20, 2010 TOWN COUNCIL MEETING BE REMOVED FROM THE TABLE.

**Order no. FY 10-027, 2 of 2** THAT THE GREENFIELD TOWN COUNCIL ACCEPT THE SCHEDULE PURSUANT TO CHAPTER 32, SECTION 22F, LABELED ALTERNATIVE 3, WHICH INCREASES THE COLA BASE FOR RETIREES FROM \$12,000.000 TO \$14,000.000 PURSUANT TO CHAPTER 188 OF THE ACTS OF 2010 SECTION 19, AND EXTENDS THE SCHEDULE TO 2040.

**DISCUSSION:** Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation. This would increase the base for retirees from \$12,000.00 to \$14,000.00. It would allow the Town to raise the Retirement Base and not increase the Town's annual appropriation payment by extending the base schedule by two years. This would cost the town more money in the long term. The last time the Retirement Board asked for a base increase was 14 years ago. It was noted that Cost of Living Increases were given to the base of the Retiree not the retiree's salary.

It was unanimously,

**VOTED:** TO APPROVE MOTION ORDER NO. FY 10-027 2 of 2.

**Order no. FY 11-057**

**MOTION:** On a motion by Councilor Maloney, second by Councilor Allis, it was,

**MOVED:** THAT THE TOWN COUNCIL, UPON RECOMMENDATION OF THE MAYOR, ORDER THAT THE SNOW & ICE REMOVAL BUDGET FOR FISCAL YEAR 2011 MAY MAKE EXPENDITURES IN EXCESS OF APPROPRIATION IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 31D.

**DISCUSSION:** Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

**VOTED:** TO APPROVE MOTION ORDER NO. FY 11-057.

**Order no. FY 11-058**

**MOTION:** On a motion by Councilor Guin, second by Councilor McLellan, it was,

**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL VOTES THEIR INTENTION TO CONSIDER LAYING OUT SOLAR WAY AS A PUBLIC WAY AND REFERS THE PETITION TO THE PLANNING BOARD AND ECONOMIC DEVELOPMENT COMMITTEE FOR RECOMMENDATION.

**PRESENTATION OF PETITIONS AND SIMILAR PAPERS**

**REPORTS OF COMMITTEES** - None

**UNFINISHED BUSINESS:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** President Farrell noted for the record that the Capital Plan for Fiscal Year 2012 was presented to the Town Council.

Councilor Maloney held a first reading: Let this serve as the first reading for the Mayor's Capital Improvement Plan for FY2012 in the amount of \$2,135,400 broken down departmentally as follows:

General Government:	\$ 42,000	Borrowing: \$25,000
Central Maintenance:	\$ 30,000	Borrowing: \$30,000
Police:	\$ 110,350	Borrowing: \$110,350
Fire:	\$ 72,050	Borrowing: \$72,050
School:	\$ 331,000	Borrowing: \$331,000
Public Works:	\$1,510,000	Borrowing: \$552,000 GF, \$402,000 SF, \$28,000 WF
Recreation:	\$ 18,000	Taxation: \$18,000
Library:	\$ 22,000	Borrowing: \$22,000
Total:	\$2,135,400	

Councilor Maloney requested all questions be submitted prior to the March 16, 2011 Ways and Means Committee Meeting.

President Farrell announced the Town Council may consider petitioning the State Legislature to eliminate the April 19, 2011 Preliminary Election. If this occurs, Councilors would be notified of a special meeting. The special meeting would need to be on or before March 2, 2011. If a Preliminary Election was held, the Town Council would need to add funds to the budget in the amount of approximately \$14,000.

At the request of a proud parent, Councilor Maloney congratulated the Franklin County Technical School Wrestling Team for having five wrestlers in the D3 West All State Tournament.

**MOTIONS FOR RECONSIDERATION:** None.

**PUBLIC FORUM:** Nancy Hazard gave a report of the Greenfield Energy Committee and the Greenfield Energy Use Report Card for 2010 (attached). A report card for the Municipality was requested. She noted the committee had not tracked the use of propane.

**ADJOURNMENT:** On a motion by Councilor Maloney, second by Councilor Allis, it was unanimously

**VOTED:** TO ADJOURN THE MEETING AT 8:06 P.M.

A true copy,

Attest: \_\_\_\_\_  
Maureen T. Winseck, Town Clerk

**GREENFIELD TOWN COUNCIL MEMBERS**

GCTV-15

Regular Meeting

February 16, 2011

1. Bitters, Paul	P						
2. McLellan, Thomas	P						
3. Allis, Brickett	P						
4. Maloney, Mark	P						
5. Singer, David	A						
6. Letourneau, Danielle	A						
7. Sluter, Shenandoah	A						
8. Vicencio-Rasku, Iris	P						
9. Hirschfeld, Norman	P						
10. Farrell, Timothy	P						
11. Guin, Daniel	P						
12. Devlin, Patrick	P						
13. Sutphin, Tracey	A						

**Office of the Mayor****William F. Martin, Mayor****Town of GREENFIELD, MASSACHUSETTS****Town Hall, 14 Court Square, Greenfield, MA 01301**Email me at: [mayor@greenfield-ma.gov](mailto:mayor@greenfield-ma.gov)Find us online at [www.greenfield-ma.gov](http://www.greenfield-ma.gov)

Phone: 413-772-1560 Fax: 413-772-1519

16 February 2011

Timothy Farrell  
President  
Town Councilors

Since assuming office I have required and expect all employees to adhere to all relevant standards of ethics and behavior to which citizens can and should expect from their government, including the recently amended Conflict of Interest Law, Chapter 268A. The integrity of our government is essential to good government and it is imperative that the responsibility for this behavior is borne by the government.

If an employee inadvertently or intentionally appeared to have or has a conflict of interest the matter was immediately addressed by me when it became known. The Council's employee, Town Clerk Maureen Winseck, is responsible for the distribution of the summary of the Ethic's Law, and if any Councilor has any questions about the amendments to the Law or its requirements, I urge you to contact her to assist with an understanding of what is required and the process involved for municipal employees and elected or appointed officials who receive compensation.

As you know, Mr. Reed's attorney Alan Seewald has written a letter to me (provided by Mr. Reed to the Recorder and which has been reported by the newspaper) and which has several inaccuracies and are presumptive in nature. As I said to Attorney Seewald, I was fully aware of the matters his letter discussed with respect to Ms. Murphy and that all issues were fully and satisfactorily resolved. I also conveyed to him that the decision to contract out services was made independently of Ms. Murphy and I remained convinced that the change is in the best interests of the tax payers and residents of Greenfield.

I am prohibited and restricted by and must comply with confidentiality requirements concerning personnel actions that are the right and privilege of every current and former employee. However, Ms. Murphy has consented that I share with you the following so we put this matter to rest.



*The Town Of Greenfield is an Affirmative Action/Equal Opportunity Employer,  
a designated Green Community and a recipient of the "Leading By Example" Award*



### Office of the Mayor

William F. Martin, Mayor  
Town of GREENFIELD, MASSACHUSETTS  
Town Hall, 14 Court Square, Greenfield, MA 01301

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Ms. Murphy voluntarily came to speak to me when she became aware that, without thinking of a conflict, she did accept 2 tickets to a Red Sox baseball game as a gift from Mr. Withington.

As was reported, Mr. Withington received them from his uncle but could not attend the game and offered them to Ms. Murphy. She later decided that she and her husband could not attend the game and subsequently the tickets were given to friends. The assertion by Attorney Seewald that Ms. Murphy "showed photos of her and her husband at the game" is clearly a fabrication.

After reporting her lapse in judgment, Ms. Murphy has complied with all of my personnel disciplinary actions including payment of full market value of the tickets.

I am allowed to discipline along a progressive line of actions. It is my prerogative as Mayor, guided by contractual and regulatory parameters, to issue personnel actions for violations of Ethics Law. Actions can take the form of ordering a letter of explanation, letter of reprimand, repayment of value, loss of pay, loss of time, recertification of the Ethics Commission and termination.

As Ms. Murphy wrote in her letter of explanation, entitled "Error in Judgment", she states:

"I am incredibly and sincerely sorry for my error as well as any problems that may have been created by it. Please accept my apologies and know this will never occur again. I accept whatever disciplinary action you may wish to impose for my violation. I have nothing but the highest respect and integrity of the Assessor's office, and again apologize for my lapse that may have brought that integrity into question. I understand that not thinking about it at that time is not an excuse. I should have realized this was a conflict of interest."

Again, I consider this matter to be fully and satisfactorily resolved; and I remain convinced that the change is in the best interests of the taxpayers and residents of Greenfield.



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